



**ATTACHMENT C
Kenai Fjords National Park
Park-Specific Provisions – 2006**

These specific provisions are applicable to those commercial activities and areas authorized in your Commercial Use Authorization.

1. A current, signed and approved Commercial Use Authorization must be carried by each Holder (or their employees) operating within the boundaries of the park. A reproduction is acceptable. This authorization must be presented to any park employee upon demand.
2. Kenai Fjords permits the following commercial activities:
 - Air Taxi
 - Backpacking
 - Guided Day Hiking (includes walking tours of the Exit Glacier Area)
 - Mountaineering (includes glacial travel, ice climbing, and any activity requiring technical equipment for ascending or descending slopes)
 - Kayak Touring
 - Dog Sled Tours
 - Guided Skiing / Snowshoeing
 - Bus Tours
 - Photography (this category applies to trips organized or sold specifically for photography,
 - generally led by a professional photographer. It is understood that incidental photography occurs during all commercial activities)
 - Charter Boats (includes motorized boat tours and water taxis)
 - Taxi / Shuttle Bus service
 - Bicycle Tours
 - Vehicle Caravans (private vehicles, such as RVs, organized and led on a commercial tour)
3. Engaging in a commercial activity other than that specifically permitted for is prohibited.
4. Holder is responsible for abiding by all applicable regulations, and should take special note of the park specific Superintendent's Compendium, which is available from park headquarters and on Park website.
5. Commercial vehicles delivering passengers to Exit Glacier shall unload, park in a designated space, and shut down their engine. Vehicles shall not sit with engines idling while waiting for passengers.
6. Use of snow machines for commercial activities is prohibited without the express written authorization of the Superintendent.

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7. Any encounters with bears, including but not limited to situations where human food was obtained and / or bear spray or firearms were used, must be reported to a park employee as soon as practical. If an employee cannot be contacted in the field, the incident must be reported to park headquarters in Seward immediately when the group leaves the field. This report may be made in person, by phone, fax, or email.
8. Activity Reports – Park Specific Guidelines(a)
 - (a) Any Holder conducting a guided overnight trip anywhere in the park OR a day trip in any coastal area of the park is required to fill out and carry a Voluntary Backcountry Registration (VBR) in lieu of maintaining and submitting an Annual Activity Summary report . All other activity must be recorded on the Annual Activity Summary report.
 - (b) Blank VBR forms will be provided to Holders upon request at any time prior to or during the operating season. VBR forms are also available at the Park's Information Center in the Small Boat Harbor and from the Park's water taxi partners .
 - (c) The Holder or their employee is responsible for filling out the form completely and having the original copy with the guide in the field at all times during the trip.
 - (d) The white copy of the VBR will be retained by the Holder for submittal to the park. All completed VBR forms must be submitted to the Park by October 1st annually; where applicable, this replaces the requirement for filing an Annual Activity Summary report (see 9(a) above).
 - (e) Gross receipts form must still be submitted by all operators
9. Group Size Limits
 - (a) All backcountry trips (this includes the Harding Icefield Trail, Harding Icefield, and all coastal areas of the park) are limited to a maximum group size of 14 people, including guides and assistants.
 - (b) Commercial groups larger than 14 should arrange to split up and arrange drops and pick ups by air or water taxi in such a manner as to prevent more than 14 people on any one beach or other discrete location at one time, except in exigent circumstances or at the following locations:
 - Main kayak drop off beach, Northwestern Fjord
 - Beach adjacent to the Holgate Public Use Cabin
 - Any other location approved by the Superintendent in advance and in writing
 - (c) If more than 14 people are dropped together by air or water taxi, they must make all reasonable efforts to immediately separate into two or more groups smaller than 14 people each and must set up camp at a minimum of 500 feet from each other.

- (d) If more than 14 people are picked up together by air or water taxi, they must make all reasonable efforts to minimize the time that combined groups are together at the pickup location, while still allowing adequate time to meet transportation provider schedule, break down equipment, etc.

10. Nightly Stay limits in heavily used areas

- (a) In Aialik Bay, Harris Bay and Northwestern Lagoon, commercial groups may not spend more than 2 nights at any location in order to protect opportunities for other groups to use the campsites and food lockers. This requirement does not apply if weather and sea conditions make travel dangerous or in the event of exigent circumstances (eg. illness of trip member or damage to camping or kayak equipment which makes travel unsafe).
- (b) All clients, Holders, guides and other employees must vacate the site and all supplies and equipment must be removed from the campsite / food locker for at least 24 hours to satisfy the requirement of 10(a) above.
- (b) Overnight stays at the Pederson Lagoon Easement site and all other coastal easements are limited to one night only, pursuant to the easement site regulations. Easements are marked by signs and are found on commonly used Trails Illustrated maps of the park. Further location information available upon request.

11. Food storage - designated areas and methods

- (a) Definition: A bear resistant container (BRC) means an item constructed to prevent access by a bear. BRC's include—
- Items approved by the Department of Interior and Agriculture's Interagency Grizzly Bear Committee (<http://www.fs.fed.us/r1/wildlife/igbc/>);
 - Items approved by the National Park Service's Sierra Interagency Black Bear Group (<http://www.nps.gov/seki/snrm/wildlife/sibbwg.htm>);
 - Any additional items listed by the State of Alaska, Department of Fish and Game, Division of Wildlife Conservation (<http://www.wildlife.alaska.gov/aawildlife/containers.cfm#lightweight>), with the concurrence of the Superintendent;
 - Park provided metal food lockers at some coastal campsites; and
 - Items approved in writing by the Superintendent.
- (b) Food, food containers, garbage and harvested fish must be stored in a bear resistant container (BRC) or secured--
- Within a hard sided building;
 - Within lockable and hard sided section of a vehicle, vessel, or aircraft; or
 - By suspending at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, or other object on a wire or branch which will not support a bear's weight.

(c) At the Exit Glacier Campground all food preparation, cooking and eating shall be done in the campground cooking shelter. No food items shall be taken to, consumed, or stored at the individual campsites.

(d) This regulation does not apply--

- On the Harding Icefield when surrounded by snow or ice for at least 1 mile in all directions;
- To food that is being transported, consumed or prepared for consumption; and
- To clean dishes and cooking equipment which are free of food odors.

12. Groups traveling in the coastal backcountry must carry at least one VHF radio capable of sending and receiving on Marine channel 16.

13. Groups shall not enter any adit or other mine opening on coastal mining claims either active or inactive.

14. Authorization Holder is responsible for knowing the location of private holdings, native corporation lands, and public use easements along the coast of the park, and abiding by all applicable laws relating to same. In particular, guides should note that the Port Graham Corporation requires a use permit for entry upon their lands for any period of time and any purpose. Use of that land without authorization constitutes trespass.

15. Any site used for commercial activity must be returned to its natural state after use. Alteration involving the movement of rocks, driftwood, or other natural objects to create objects including but not limited to tables, chairs, benches, shelters, fire rings, caches or tent frames, must be returned to its previous condition prior to departure.

16. All equipment and supplies, including but not limited to tents, tarps, tools, fuel, food, kayaks, rafts, canoes, and garbage must be removed from each campsite upon departure. Departure will be defined as leaving the site with the intent of not occupying the site overnight within the next 24 hours.

17. Garbage may not be burned or buried. It must be removed from the park at the end of each trip.

18. Temporary storage or "caching" of equipment or supplies must be approved in advance and in writing by the Superintendent. This includes leaving food or other materials in a park provided Bear Resistant Food Container ("bear box") unattended for one or more nights.

19. Commercial groups camping within the Exit Glacier Study Area must either use public toilets or pack out all solid human wastes and toilet paper, which may then be disposed of in the toilets at the main parking lot or campground.

20. All members of commercial groups on the Harding Icefield Trail must stay on the established trail in the alpine tundra zone. Shortcutting of switchbacks is prohibited.

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21. Neither Holders nor their employees shall rent or reserve a Public Use Cabin for commercial purposes. Holders and/or employees shall not act as agents or representatives for clients renting or reserving Public Use Cabins.

22. Commercial groups shall not utilize Public Use Cabins, porches, decks or associated toilets, unless a member of the group has rented the cabin and has a valid Special Use Permit for same. No individual or group shall camp within 500 feet of a Public Use Cabin.

23. Bicycles are not permitted for commercial purposes except on the Exit Glacier Road, campground parking lot and in the main parking area.

24. Campfires are prohibited in the Exit Glacier Study Area except in a steel fire ring provided at the developed campground and in the picnic area. Along the coast, fires shall be built in the intertidal zone whenever possible. Fire rings of stones or other materials must be dismantled before leaving the site. Ashes must be dispersed, preferably in the ocean. Any burnt food or garbage must be packed out of the park as garbage. A fire pan is strongly encouraged to facilitate this process.

25. Holders shall, upon request, provide names and current addresses of all current owners, employees, agents, and / or representatives of the company.

26. Commercial groups in motorized or non-motorized vessels inside the boundaries of Kenai Fjords National Park, are required to adhere to Marine Mammal Viewing Guidelines, published by the National Marine Fisheries Service, as a condition of this authorization. The current guidelines are summarized as follows:

Remain at least 100 yards (length of a football field) from whales, dolphins, porpoises, and from seals and sea lions that are on land, rock, or ice.

Use extra caution when viewing seals and sea lions that are on land, 100 yards may not be sufficient distance to prevent harassment.

If a whale approaches within 100 yards of your vessel, put your engine in neutral and allow the whale to pass.

Offering food, discarding fish, fish waste, or any other food item to a marine mammal is prohibited.

Handling pups, touching, or swimming with the animals is prohibited.

If you need to move around a whale, do it from behind the whale.

Vessels that wish to position themselves to allow whales to pass the vessel should do so in a manner that stays fully clear of the whale's path. Whales may surface in unpredictable locations.

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Breaching and flipper slapping whales may endanger people and/or vessels. Feeding humpback whales often emit sub-surface bubbles before rising to feed at the surface. Stay clear of these light green bubble patches.

Emitting periodic noise may help whales know your location and avoid whale and boat collisions. For example, if your engine is not running, occasionally tap the side of the boat with a hard object.

Whales, dolphins, and porpoises are more likely to be disturbed when more than one boat is near them. Avoid approaching the animals when another vessel is near. Do not encircle the animals or trap them between the shore or another boat and your boat.

Always leave whales, dolphins, and porpoises an "escape route."

When several vessels are in an area, communication between vessel operators will ensure that you do not cause disturbance.

Limit your time with any individual or group of marine mammals to less than one half hour.

Your vessel may not be the only vessel in the day that approaches the same animal(s), please be aware that cumulative impact may also occur.

Vessels traveling in a predictable manner appear to be less disturbing to animals. The departure from a viewing area has as much potential to disturb animals as the approach.

Pursuit of marine mammals is prohibited by law.

Never attempt to herd, chase, or separate groups of marine mammals or females from their young.

Avoid excessive speed or sudden changes in speed or direction in the vicinity of whales.

Assume that your action is a disturbance and cautiously leave the vicinity if you observe any of the following behaviors :

Aggressive behavior by many animals towards the disturbance; or movement by many away from the disturbance.

Herd movement towards the water

Hurried entry into the water by many animals

Increased interactions with other animals

Increased vocalizations

Several individuals raising their heads simultaneously